

EL952771772US
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FRITZ DETTMANN et al.

Serial No.: 09/936,087

Filed: September 6, 2001

International Application No.: PCT/EP00/01859

International Filing Date: March 3, 2000

For: SYSTEM FOR WRITING MAGNETIC
SCALES**RENEWED PETITION UNDER 37 CFR 1.497(d)**Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231
Attention: PCT Legal Office

Dear Sir:

Applicant in the above-identified application hereby respectfully makes this renewed petition based upon the facts below:

(1) On November 21, 2001, Applicant filed a "Petition for Correcting Inventorship" to add two inventors, Carsten Moller and Torsten Schonbach who were not identified in the PCT Application No. PCT/EP00/01859, to two previously named inventors, Fritz Dettmann, Uwe Loreit who were duly listed in this PCT Application, so that the above U.S. National Stage Application No. 09/936,087 contains all four inventors.

(2) On February 25, 2002, the Patent Office issued a Decision on Request under 37 CFR 1.497(d). The Decision stated, "it is not possible to grant applicant's petition at this time," reasoning that some documents did not accompany the November 21, 2001 Petition or not complete.

(3) The missing or incomplete documents the Decision pointed out were:

a. Statements from Carsten Moller and Torsten Schonbach declaring that the error occurred without any deceptive intention on their part;

b. A Declaration in compliance with 37 CFR 1.497(a)-(b) since the submitted Declaration provided no citizenship for Carsten Moller and Torsten Schonbach; and

c. A written consent of the assignee in compliance with 37 CFR 3.73(b).


(3) Applicant hereby submits the Statement from Carsten Moller and Torsten Schonbach, a Declaration with citizenship provided for Carsten Moller and Torsten Schonbach, and a Written consent of Assignee, IMO INSTITUT FUR MIKPOSTRUKTURTECHNOLOGIE UND OPTOELEKTRONIK E.V.

(4) Since all the required documents are now submitted to the Patent Office, it is hereby respectfully petitioned that all four inventors be recorded for the above-identified application.

(5) The undersigned acknowledges the Patent Office's note that no additional petition fee is required. However, if it is deemed necessary please charge any additional costs incurred by or in order to implement this petition or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

By: 
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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL952771772US in an envelope addressed to:
Assistant Commissioner for Patents, Box PCT, Washington D.C. 20231, on

April 24, 2002

Date of Deposit

William L. Androlia

Name

4/24/2002

Signature

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: SYSTEM FOR WRITING MAGNETIC
SCALES

**STATEMENT
UNDER 37 CFR 1.494(d)(1)**

Assistant Commissioner for Patents
Washington, D.C. 20231

I, Carsten Möller, state:

I am the inventor of the invention of the PCT Application No. PCT/EP 00/01859 filed on March 3, 2000 based upon German Patent Application Nos. 199 09 889.1 of March 6, 1999 and 199 40 164.0 of August 25, 1999; and

that any error in inventorship in the international application occurred without deceptive intention on his/her part.

I hereby state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 18-3-2002

By: 
Carsten Möller

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
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Serial No.: 09/936,087
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For: SYSTEM FOR WRITING MAGNETIC
SCALES

**STATEMENT
UNDER 37 CFR 1.494(d)(1)**

Assistant Commissioner for Patents
Washington, D.C. 20231

I, Torsten Schönbach, state:

I am the inventor of the invention of the PCT Application No. PCT/EP 00/01859 filed on March 3, 2000 based upon German Patent Application Nos. 199 09 889.1 of March 6, 1999 and 199 40 164.0 of August 25, 1999; and

that any error in inventorship in the international application occurred without deceptive intention on his/her part.

I hereby state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 03.21.2002

By: T. Schönbach
Torsten Schönbach

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
FRITZ DETTMANN et al.
Serial No.: 09/936,087
Filed: September 6, 2001
International Application No.: PCT/EP00/01859
International Filing Date: March 3, 2000
For: SYSTEM FOR WRITING MAGNETIC
SCALES

**CONSENT
UNDER 37 CFR 3.73(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

I, Eberhard Schultheiß, state that:

I am the president of and authorized to act on behalf of IMO INSTITUT FÜR MIKROSTRUKTURTECHNOLOGIE UND OPTOELEKTRONIK E.V. who is the assignee of the invention of "System for Writing Magnetic Scales" of the PCT Application No. PCT/EP 00/01859 filed on March 3, 2000 (based upon German Patent Application Nos. 199 09 889.1 of March 6, 1999 and 199 40 164.0 of August 25, 1999), upon which the United States Patent Application No. 09/936,087 was filed on September 6, 2001 pursuant to 35 USC 371, a copy of the assignment signed by the inventors of the above-identified invention being attached hereto; and

the assignee hereby accepts Carsten Möller and Torsten Schönbach as the inventors of the above-identified United States application who were inadvertently unidentified in the above-identified PCT application that contained only Fritz Dettmann and Uwe Loreit as the inventors.

I hereby state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8.4.2002

By: 

Name:

Title: President